

# Bristol City Council

## Minutes of the Development Control B Committee

12 February 2020 at 6.00 pm



### **Members Present:-**

**Councillors:** Lesley Alexander, Tom Brook (Chair), Harriet Bradley, Mike Davies, Fi Hance, Nicola Bowden-Jones, Celia Phipps and Martin Fodor

### **Officers in Attendance:-**

Gary Collins and Allison Taylor (Democratic Services Officer)

### **1. Welcome, Introduction and Safety Information**

This was done.

### **2. Apologies for Absence**

These were received from Councillors Denyer, Eddy, Khan and Mead and the substitutes were noted as set out in the members present.

### **3. Declarations of Interest**

Councillor Phipps declared that the Chessel Street application was within her ward and she was open minded regarding the application.

### **4. Minutes of the previous meeting**

The minutes were agreed as an accurate record of the meeting.

**Resolved – that the Minutes be agreed as a correct record and signed by the Chair.**



## **5 Appeals**

The Head of Development Management drew the Committee's attention to Item 10 – BRI and reported that a decision was shortly expected in relation to this appeal.

## **6.Enforcement**

The Head of Development Management drew the Committee's attention to 2 current enforcement notices. There were no questions.

## **7.Public forum**

Members of the Committee received Public Forum Statements in advance of the meeting.

The statements were heard before the application they related to and were taken fully into consideration by the Committee prior to reaching a decision.

## **8. Planning and Development**

The Committee considered the following Planning Applications:

### **9. 19/04821/A - Plot Of Land Fronting Former 164 - 188 Bath Road Totterdown**

An Amendment Sheet was provided to the Committee in advance of the meeting, detailing changes since the publication of the original report.

It was noted that Councillor Lesley Alexander would not take part in the discussion and voting for this item as she had not been present at the start of Public Forum.

The representative of the Head of Development Management introduced the report as follows:-

1. The application was for the removal of 3 existing hoarding advertisement signs and installation of 2 illuminated digital advertisements on support legs;
2. It was before the Committee due to the level of objections received and a split decision recommendation;
3. In 2018 delegated approval was given for digital advertising on this site;



4. It was not in a Conservation Area. The key issues assessed by officers were the impact of the proposed development on amenity and public safety and whilst taking into account the provisions of the development plan;
5. The East facing advert would be half as wide but the same height as the current board. It would sit directly behind traffic signals and did not interfere with the sight lines to the signals or junction. There was a straight approach to the advert and a driver would have sufficient time to process the advert and would not be considered to cause a significant distraction to the detriment of highway safety subject to conditions to ensure the advert did not change too frequently or exceed the luminance level;
6. The West facing advert was objected to by Transport Development management as the site was situated in the view of the traffic controlled three arm junction and the sign was situated directly behind the signal heads when viewed from east bound approach. Buses merge with the general traffic after the bus stop and the impacts of a driver being distracted and not noticing a bus merging in front of them could be severe;
7. In conclusion officers had no objection to the east facing sign and recommended approval but objected to the west facing sign for the reason of highway safety and recommended refusal.

The following points arose from questions and discussion:-

1. A previous application had been refused for the reason of visual amenity only but the Inspector did not agree with this and upheld the appeal. It was necessary to have regard to this decision and any future appeal. Pollution Control had not given grounds to sustain refusal;
2. Councillor Fodor noted the Inspector's findings but observed that the Council's objective should be to produce a high level of amenity to all residences in Bristol and asked whether this should be clearer in the Local Plan. The Head of Development Management stated that there had been numerous appeals for digital advertising applications over the years and the success rate had been high in dismissal of those appeals. National guidance was strict and the Local Plan could not add more than that;
3. Councillor Fodor stated that the both directions were equally dangerous because of the bus lane and new road layout. The Transport Development Manager reported that the inbound section was fairly straight and there were more decisions to be made outbound hence the recommendation to refuse;
4. Councillor Kent raised concern regarding Condition 11 regarding the brightness of the illumination at night being the same as daytime. He was informed that Pollution Control was content with the condition and the standard approach had been applied;
5. Councillor Bradley used Bath Road often and felt there were sufficient highway dangers to warrant refusal to both boards. She observed that there was a residential block opposite and she imagined residents would not want to see such signs from their windows. It was noted that the land was not owned by BCC but by a private owner;
6. Councillor Phipps understood her concern was not a material planning one but she highlighted the damage of light pollution and damage to wildlife and suggested that such applications should be assessed more broadly on the impact of eco systems. She would not support approval of either board;
7. Councillor Fodor stated that the applicant had failed to provide any evidence as to why the illumination brightness should not be reduced at night and he would vote against approval;



8. Councillor Fodor was very concerned about the highway hazards both sides and these boards would make the road less safe. He was disappointed that there was not a commitment to level up amenity in the city;

9. Councillor Davies understood that officers had a robust approach to such applications and he understood their rationale and would therefore support the officer recommendations;

10. Councillor Hance would vote against the officer recommendation for the reasons of light pollution to properties on the other side of the road and the level of light pollution emitted from the boards;

11. Councillor Don Alexander would vote for the officer recommendation;

12. The Chair then moved the officer recommendation and this was seconded by Councillor Davies and on being put to the vote it was lost – 2 for, 6 against, 1 abstention. The Chair then proposed and it was seconded by Councillor Hance that the Committee was minded to refuse the application and this was subject to officers drawing up reasons for refusal as indicated by the Committee. The reasons were as follows:-

- road safety and in particular the layout of the road, cyclists and pedestrians,
- amenity view from residential building nearby and for other residences,
- Condition 11 – light emissions being stricter at night – attempt to tighten up to get to 100 LED illumination.

On being put to the vote it was:-

**Resolved – (8 for, 1 against) - That the Committee was minded to refuse the application and this was subject to officers drawing up suggested reasons for refusal, as indicated by the Committee, that could be defended at appeal.**

#### **10. 19/04744/F & 19/04745/LA - Blackboy Inn 171 Whiteladies Road**

An Amendment Sheet was provided to the Committee in advance of the meeting, detailing changes since the publication of the original report.

The representative of the Head of Development Management introduced the report as follows:-

1. The Inn was a Grade II Listed Building within the Whiteladies Conservation Area;
2. The application was for the change of use to flexible ground floor uses A1, A2 and A3 and a house in multiple occupation with cycle and refuse storage;
3. There were 6 responses to consultation – 3 in support, 1 neutral and 2 objecting to the application;
4. The applicant had not demonstrated that the pub was not viable but there was a diverse range of pubs in the area;
5. The shopfront would be retained;
6. It complied with Policy DM12 as there were no HMO's adjacent to the building;



7. There would be less intensive use than a pub and it was adjacent to other mixed use buildings;
8. Accessibility was not ideal but the constraints of a listed building had to be taken into account;
9. It was noted that there was no Premises Management Plan within the application;
10. The low degree of harm caused by the development did not outweigh bringing the building back into use and the officer recommended approval subject to conditions.

The following points arose from discussion:-

1. The space standards for HMO were Licensing standards and not planning standards. From a planning perspective they were very close to meeting them and the shortfall was acceptable to Licensing;
2. It was always difficult to accommodate storage in listed buildings and the optimum solution had been reached in this case subject to acceptable conditions. There was a clear enforcement strategy if waste was left on the street;
3. There were 8 occupants and there were Licensing conditions to control that occupancy;
4. Councillor Hance felt the waste storage was not ideal but there was no alternative and she would vote for the officer recommendation;
5. Councillor Bradley observed that as the area was more commercial it was a suitable location for an HMO and it was preferred to an empty building and she would vote for the officer recommendation;
6. Councillor Davies stated that the occupants would find a way to make the building work and the improvements to the listed building and the retention of the pub sign was welcomed;
7. Councillor Kent expressed some concerns for space standards and layout;
8. Councillor Hance moved the officer recommendations and this was seconded by Councillor Bradley and on being put to the vote it was:-

**Resolved - (9 for, 1 abstention) That the application be granted subject to conditions as set out in the report.**

### **11. 19/05576/H - 116 Chessel Street**

The representative of the Head of Development Management introduced the report as follows:-

1. The application was before the Committee as the applicant was an officer within the Planning team;
2. It was for a single storey rear infill extension and a rear roof dormer extension;
3. It was not in a Conservation Area, was acceptable in size and scale and was in keeping with the residential area;
4. There had been no comments after consultation;
5. Officers recommended approval subject to conditions as set out in the report.



There were no questions or debate and Councillor Davies moved the officer recommendation and this was seconded by Councillor Don Alexander and on being put to the vote it was:-

**Resolved - (Unanimous) – That the application be granted subject to conditions.**

Meeting ended at 7.30 pm

**CHAIR** \_\_\_\_\_

